



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: 10/661 301 Confirm. No.: 7463
Filing Date: 9/12/2003
Inventor: James Anthony Maffei
Title: Plant Protection Device and Method
Art Unit: 3644
Examiner: ALIMENTI, SUSAN C.
Attorney Docket No.: 02-090

To: Mail Stop Amendment
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Request for Reconsideration Pursuant to 37 C.F.R. § 1.111

Dear Sir:

This petition is filed in response to the Office Action of August 10, 2004. According to information in the Detailed Action of that Office Action, it appears that there was a transmission error when the reply was transmitted via facsimile to the PTO on June 9, 2004, and that the body of the amendments and arguments were incompletely transmitted.

Applicant herewith encloses the reply that was transmitted on June 9, 2004.

Respectfully submitted,



Patricia M. Mathers
Attorney for Applicants
Reg. No. 44,906
Bohan, Mathers & Associates, LLC
P. O. Box 17707
Portland, ME 04112-8707
(207) 773-3132

Date: August 18, 2004

Enclosed:
Reply of June 9, 2004 (71 sheets)
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Request for Reconsideration Pursuant to 37 C.F.R. § 1.111

Dear Sir:

This Request is filed responsive to the 02/25/04 Official Action, in which Examiner rejected pending Claims 1-5 under 35 U.S.C. 102(b) based on Hinsperger (U.S. Patent 5,605,007) and Claim 6 under 35 U.S.C. 103(a) based on Hinsperger in combination with Dalle (U.S. 4,577,436). Examiner also noted that Applicant failed to submit a paper copy of the five foreign patents cited in the Information Disclosure Statement. Applicant respectfully requests that Examiner amend the application in the manner set out immediately below, and explained in REMARKS starting on page 5. Applicant also requests that Examiner consider his arguments, also included in REMARKS, for deeming allowable all of the claims as amended.

AMENDMENTS

Amendments to the Specification begin on page 2 of this paper, as do the amendments to the Drawing and to the Claims.

IN THE SPECIFICATION

Please amend paragraph [0018] to read as follows: